KUMALAE

But Committeemen Were Not Apprised.

(From Wednesday's Advertiser)

The Enoch Johnson-Jonah Kumalae case in which the defendants are being tried before Judge De Bolt upon the charge by indictment of conspiracy to defraud the territory, held the attention of the jury all day yesterday, the prosecution offering its evidence in the forenoon, the afternoon being devoted opinion was in it," said Kumalae. to the examination of witnesses for the defense. There is yet another witness this morning, and after arguments, the case will go to the jury.

The defense offered the evidence of Kumalae who as a star witness testified to having employed Enoch Johnson as a clerk to the committee on investigating the Chinese Fund on behalf of the House of Representatives, but failed to let any of the committee members know of it. He secured a legal opinion, verbally, from his clerk for which he paid him \$80. The report of the minutes which Johnson made up not kept, although for working up the ing the session. report, and typewriting it, he was paid a large sum of money.

Representative Chillingworth as a witness for the prosecution stated that he was a member of the Chinese Fund committee, and that after two or three meetings were held, the matter seemed to drop out of sight. He spoke to Kumalae about the lack of meetings and the latter said he had difficulty getting them together. Johnson had not attended any of the meetings. Mr. day, chillingworth said he had drawn up the report and handed it to Mr. J. W. Girvin who put it in typewritten form. Mr. Girvin had prepared certain sections of the statutes for insertion, which were, however, pasted on to the report and later taken from it. He never knew that Johnson had anything to do with the report. Johnson, also, had not given a legal opinion to the committee.

Mr. Girvin testified that he had typewritten the report. As payment, he had been paid in cash by Kumalae in the hallway of the capitol. The testimony of H. E. Cooper, Jas. H. Boyd, J. A. Magoon, T. Lyons, John M. Wil- of the Governor in the Capitol buildson and Mrs. Leonard was offered to any of the meetings.

Attorney Ashford said the defense had been employed by the committee to perform clerical work and that at the express wish of Kumalae he did sequently handed to Mr. Johnson to write into the report.

A legal opinion was also desired at this time, and Johnson gave it in writ- trait of Napoleon III, presented by ing charging \$80 for it. Subsequently, Mr. Girvin handed in a report, and Johnson also had one. Johnson took the Girvin report made interlineations of the other relies which occupied the in it, and it was then handed to Testa chamber of the days of Hawaii's mon who wrote the last five pages of the report to make a clean copy.

F. J. Testa was called as a witness by the defense, he testifying that he for which work he was paid \$2.50 in cash by Kumalae. No explanation was made as to why cash was paid instead of payment being made by warrant. Solomon Meheula, clerk of the House

of Representatives, was called. torney General Andrews handed up a bill for \$500 purporting to be drawn up and payable to Meheula, for his inspection as to whether he handed that special bill to be O.K.'d by the chairman of the committee. Then ensued a parry of words between Ashford and Andrews. Meheula protested that he was indicted on that bill and it might incriminate him if he answered. Jonah Kumalae, chairman of the

committee to investigate the Chinese fund, testified he acted as clerk of the committee, using abbreviations, leaving out words, but writing rapidly enough to take the testimony. Johnson, although appointed as clerk did not attend the meetings as it was a rule to exclude everybody except the witness under examination. This rule was broken when H. E. Cooper appeared as a witness when a shorthand

Kumalae denied that he had appointed a sub-committee, which had been testified to. He was not consulted in the appointment of Mr. Girvin to do

cierical work. He had employed Johnson at 15 per day. He turned over the testimony to Johnson, who transcribed it, filling is the proper words, etc. He said he was much surprised when Lang handed him the Girvin report, but he handed it to Johnson to go over Johnson's DWo Priori covered 24 pages. He found that they're's terms contained

Usetter Einstich and after consulting with some Heathers he thought it cought to be personaled to the House. Humaler Maphilled a vencios for the For a legal agrains given by Johnson the state, edich was given carbain and which disheson said to held it torprepared to the pupert Re-en-lance Justine, in he do scholars. He Show that begind opinions given Johnson were in he raised become

The \$45 it was a reasonable charge, because "judging from charges made in the legislature was reasonable."

He did not notify the committee that he had appointed Johnson until toward the end of the session. He was not sure about this as his memory was not good. Johnson's work was to take his notes taken at meetings and write them out in "proper form," filling in

"According to the amount of work I guess it was twenty-six days' work, altogether," said Kumalae referring to Johnson's clerical work, "He told me he worked on it twenty-six days," he continued.

"Johnson's report was never present ed to the committee-it was presented to me. It was found that Girvin's report was the better one, so that was adopted."

"Did you ever notify the committee that you had obtained this opinion? inquired Andrews.

"I don't remember," answered Kumalae. That became the burden of his answers.

"I will say, however, that the committee signed the whole report and the

He could not point out in the report the "opinion." He was asked why the for the defense who will be examined lawyers, on the committee of which there were three-Long, Chillingworth and Fernandez-had not been questioned as to the legal point.

"How about yourself," asked Andrews, "weren't you one of Humphreys' lawyers?" which caused a smile. It was brought out by Kumalae's testimony that despite the secrecy by which Johnson was excluded from the meetings, Prendergast, the clerk of another committee, was present,

David Kupihea said that as a member of the committee on accounts he from Kumalae's notes, according to did not pass personally on more than Kumalae's statement, is "lost." It was

> COURT NOTES. The case of Robert Fuller vs. The Rapid Transit & Land Company was argued before the Supreme Court yesterday D. L. Withington for the defendants, and Messrs. Clemons and Crook for the plaintiff.

The case of Genevieve Dowsett vs Wilder's Steamship company occupied the attention of Judge Dole yesterday. The case was continued until to-

In the case of the Territory vs. Jock Morgan, the defendant has been given twenty days from June 21 to prepare and file his bill of exceptions on appeal to the Supreme Court.

Acting Governor Atkinson is con templating the renovation of the room ing. It is now one of the dingiest in show that Johnson had not attended the second story and the wood-work needs varnishing and polishing, the floors are in need of shellac and the would be to show that Enoch Johnson plastered walls ought to have attention. The room has not been renovated for some time.

It is a curious thing that just over Kumalae taking notes which he sub- portrait of a ruler who lost not only his crown and throne, but to the people their very country, through a series of blunders. This is the oil porthat monarch to the reigning ruler of Hawaii. In a nearby corner is a marble bust of the Empress Eugenie, Most archy have been removed or sold.

THE TRUTH ALWAYS.

"When you are in doubt tell the truth." It was an experienced old diplomat who said this to a beginner in the work. It may pass in some things, but not in business. Fraud and deception are often profitable so long as concealed; yet detection is certain sooner or later; then comes the smash-up and the punishment. The best and safest way is to tell the truth all the time. Thus you make friends that stick by you, and a reputation that is always worth twenty shillings to the pound everywhere your goods are offered for sale. We are able modestly to affirm, that it is on this basis that the world-wide popularity of WAMPOLE'S PREPARATION

rests. The people have discovered that this medicine is exactwhat it is said to be, and that it does what we have always declared it will do. Its nature also has been frankly made known. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypo-phosphites and the Extracts of Malt and Wild Cherry. A combination of supreme excellence and medicinal merit. Nothing has been so successful in Anomia, Serofula, fironehitis, Influenza, Loss of Flesh and Wasting Diseases, Weakness and Low Nervous Tone, and all complaints caused by Impure Blood. Dr. Anstin D. Irvine, of Canada, says: "I have used it in cause where and liver oil was indicased. where and liver oil was indicated but could not be taken by towing were very gratifying." It cannot decrive in disappoint you, is effective from the lirst dose and comes to the rescou of these who have received he because it from any other transment to progress,

by all phomists story whats.

CHAIRMAN COOPER UN THE COUNTY MEASURE

He Believes the Organic Act Meant To Limit kato, Minnesota, January 18, 1872, his mother being a daughter of the Hon. the Power of County Government. Wants a Simple Bill.

(From Wednesday's Advertiser.)

"I believe that the opportunity offers for the formation of a bill which will provide for a simple form of government, an opportunity following year to enter the Law Defor a representative government to begin its work in the territory," said chairman Henry E. Cooper at last night's meeting of the County Commission. "The principal feature upon which this government Bachelor of Laws. He was admitted to tion of his absolute disbarment making may well be founded is the right of the people in their respective the bar of the Supreme Court of Michicounties to expend the money received by them from taxes therein, gan and, shortly afterwards, removed ing October term was decided on after upon their own public works. That certainly is a step towards representative government, and one which may well occupy the minds ton & Carter. After serving a brief of the people, for it is a stepping stone to further and greater pow-

"I believe the Organic Act must be our guiding star in forming the county bill presented to the legislature. The more I study it the more I believe the power of county government was intended to be limited; that the elaborate bill which was presented to the legislature of 1903 contains many valuable suggestions and much painstaking work, but it was in many respects in conflict with the Ortaking work, but it was in many respects in conflict with the Or-Court. I also believe there were many vulnerable points in the act itself. I think, as lawyers, our reputations are at stake, and we should draw up a report which should be free from any conflict with the Organic Act.

"I believe also that the County Act of 1903 contains more than it should have done in the way of complications, irrespective of the provisions of the Organic Act. I don't see any reason to have in it the revenue measures and license Act that were placed in the Act of 1903. Those matters can be handled by a simple amendment to the present law upon these two subjects.

'I also feel a grave doubt about the right of the Territory to transfer territorial property to the counties. I have briefs here least two vacancies in the position of which were well considered on that point, and my special feeling is medical interne in the Government

that we should take no chances on this subject. "Then comes the question of the form of government. From a other similar vacancies as they may political standpoint, those who desire to see a full consummation occur in that hospital. of the right of the people to have their affairs conducted by people of their own choice, look upon the election of the Board of Supervisors as one of the primal essentials. I feel that is doubtful, legally. The Board of Supervisors is undoubtedly a public Board, and in the opinion of our firm in testing the case before the Supreme Court, we contended that the election of a Board of Supervisors was contrary to the Organic Act. These are not solidified opinions or unalterable convitions, but the growth of thought and experience in contact with the Act of 1903.

"How shall the county be governed? Shall it be by a single Supervisor for each county elected by the people, or by a Board appointed by the Governor?

"I would not express an opinion upon this one way or the other, not attend the committee meetings, the desk of the Governor hangs the but it appears to me the matter comes down to that point.

"I believe that we can make progress by taking up the Act of 1903, going through it possibly several times, at first striking out vice, those sections which we feel clearly should not be admitted as a As the Commission has experienced part of the new Act, then taking up parts not so clear and arriving considerable unneutry in securing part of the new Act, then taking up parts not so clear and arriving bles for this position, qualified persons at a conclusion as to whether they should remain or not, and then are urged to enter the examination. taking up the bill and correcting wording in the remainder, eliminating phrases in doubtful sections, or adding to others.

"I believe that there is no need, from an economic standpoint and from the standpoint of a proper administration of affairs, that there should be more than one county on Oahu. I have talked to the people before and after the passage of the Act of 1903 and 1 and blacksmithing. think I know fairly well the sentiment of the people here, upon that point. Many of the people on Hawaii are of the same opinion, that they should not only have representative government, but it should be a popular government, and not a burden. Excessive expenditures of money in the way of salaries would gradually make the burden irksome. While it is a large island, Hawaii is much smaller than many counties on the mainland, and with the opening of new roads and railroads around the island forming a belt about it, and with tion of Night Inspector in the local increased steamer facilities, it is not difficult to communicate with the county seat which would be at Hilo-the courts remaining tions must be filed with the Secretary where they are so that the matter of litigation could be handled by the hour of closing business on July much the same as now. Perhaps a re-division of the District Ma- 15, 1904. gistrate jurisdictions might be made.

"I have reserved definite and final conclusions until I can have the benefit of the opinions of all of you, and I come to the work entirely without prejudice. I state this in a general way to show how my mind has been working since the commission was organ-

This statement brought about a general discussion, each member giving his own views as to the best method of getting down

to work. up the act there was something to work caused a smile to pass around as the on, and he agreed that to follow Mr. matter was put up to Chairman Coop-Cooper's suggestions would be the

proper program. Mr. Watson said that it would be an xceedingly had thing for the commisten not to be able to get around the egal phones as to supervisors, as there were mounty all lawyers on the most mission. He did not think it would by well to have one man elected as supervisor as he would be practically he fayor the appointment of a Beard of Supervisors by the Governor-tic summented going through the Bell

of section by section.
Mr. Steward wanted systemic Bruf to
cork ton such as the briefs Shed before to Course Court by Mr. Course in The spatientine of the 10 Thinks to the children and electronic work or his for yout musting stichard. But

A dignization topy find up to failure consists by any first head knows to the transfer to the consists of the

Mr. Beckley, in reply to a question onded by Crabbe. Stewart nominated of the chair, said that now in taking J. D. Avery, seconded by Beckley. This er, who announced a "tie." He said he was placed. The chair decided by favoring Mr. Avery on condition that he work on the terms outlined by

Stewart then suggested a peep into the work of the committee on the cadi-

Mr. Cooper stated that Mr. Judd of the Ende Communion had announced their work was nearly complete, and its results would be available to the Commission.

Mr. Chappy opened a copy of the 1905 Ant stating that the commission might begin by plushering the sections rechrysten to the his total sought to sur-

mandacting in the truck includes to the o to spokusking to a feiter to the they seem. Mr. Blowner, furoused a simple many for they dry one which would meeting the Commission begin upon the old County Act, section by section. Adjournment was taken until next Tuesday evening. day evening.

JUDGE PARSONS.

The Hawaii Herafd gives the following biographical sketch of the nev Judge of the Fourth Circuit:

Charles F. Parsons who born in Man-Albert S. White, United States Senator from Indiana from 1839 to 1845, and later United States District Judge in the same state, and a great grand-daughter of Thomas Mann Randolph, of Tuckahoe, governor of Virginia from 1819 to 1821.

Mr. Parsons received a common and high school education in his native town and, in 1890, removed to Washington, D. C., accepting an appointment in the War Department, which he resigned the partment of the University of Michigan, from which institution he graduated in 1893, receiving the degree of apprenticeship with that firm, he entered into co-partnership with Robert R. Wedekind under the firm name of Parsons and Wedekind. In 1895 he removed to Los Angeles and three years later to the Hawaiian Islands.

In 1899 he was appointed District Magistrate of North Hilo, and resigned that position the following year to eninto co-partnership with Carl S. partnership continuing until Mr. Parson's appointment to the judgeship.

CIVIL SERVICE

The United States Civil Service Commission announces an examination on June 29-30, 1904, to secure eligibles from which to make certification to fill at Hospital for the Insane, Washington, D. C., at \$600 per annum each, and

The examination will consist of the

subjects mentioned below: 1. Letter-writing.

 Anatomy and physiology.
 Chemistry, materia medica, and 4. Surgery and surgical pathology.

5. General pathology and practice. Bacteriology and hygiene.

Obstetrics and gynecology. Age limit 20 years or over, Applications received by the Secre-

tary until the hour of closing business on June 28, 1904. The United States Civil Service Commission announces an examination on July 6, 1904, to secure eligibles from which to make certification to

vacancies as they may occur in the position of farmer in the Indian Ser-The examination will consist of the

subjects mentioned below: 1. Penmanship.

Spelling and copying.

Farm economy. Keeping accounts.

Practical questions in carpentry

Practical questions in farming. Experience in farming.

Six and one-half hours will be allowed for this examination.

Age limit, 20 years or over Applications received by the Secre-

tary until the hour of closing business on June 28, 1904.

The annual examination for the posi-Custom Service will be held at High School on July 18, 1904. Applica-

A. B. INGALLS. Secretary Local Board of Civil Service Examiners.

President May Come.

NEW YORK, June 12 .- A special to the Sun from Washington says: According to members of the Filipino Commission, now being entertained in Washington, President Roosevelt is contemplating a trip to the Philippine islands. The Filipinos say they learned this from the President when they were his guests at the White House luncheon on Friday. They assert he he did not relish the position in which told them he expected to visit the islands, but did not indicate when he intended to go. The Filipines, however, got the impression that the time is not a great while off. In fact, many of them believe he intends to go to Manila with Secretary of War next summer. Some others are of the opinion that he may wall until his term as President expires, whether that be must March or in 1969.

Since their visit to the White House the Pilipines have given much lime to discussion of what the President sold and all of them appear delighted over the prospect of having him with them in the archipetage.

IRON WORKS TO BUILD BIG MILL

which the control of promption

REINSTATED

Writ of Error in Kauai Taxes Shortage Matter.

(From Wednesday's Advertiser.)

An order was made orally by Chieff Justice Frear, at yesterday morning's session of the Supreme Court, granting the latest petition of George A. Davis for readmission to the practice of law in the Territorial courts.

Having been called to the bar, Mr. Davis was informed that the commutait end with the beginning of the coma careful consideration of all the circumstances, including his unseemly and inappropriate conduct before that court at various times. In his statement made to support his subsequent petition for immediate reinstatement hehad mentioned his financial distress and the court having considered that plea now remitted further punishment. The court trusted that its future relations with Mr. Davis would not be marked by the unpleasantness that had at times characterized them in the

Mr. Davis, responding to the words. that restored his means of livelihood, said he felt grateful to the court, Hewould endeavor to maintain the respect of the court and do his part in upholding its dignity. At the same time he trusted he would be accorded equal privileges with other members of the bar, so that he might come before the court without fear and trem-

HUMPHREYS AND THOMPSON.

A. S. Humphreys, who was disbarred, and F. E. Thompson, suspended for one year, in the same decision that disbarred Davis last August, had an interview with Chief Justice Frear at noon yesterday. In the presence of Justices Hartwell and Hatch, late in the day, the Chief Justice stated that no announcement could yet be maderegarding Messrs. Humphreys and Thompson,

THE KAUAI WRIGHT.

Walter A. Wright vs. J. K. Farley, writ of error, was argued and submitted before the Supreme Court, Smith & Lewis appeared for plaintiff in error and M. F. Prosser for defendant error. Farley, as tax assessor for Ka-uai, prosecuted Wright on his bond asdeputy assessor to recover the amount of an alleged shortage. Wright had recourse to a writ of error to bring the ase up for review.

It was not known yesterday what matters would be heard at today's session of the appellate court.

THE EFFICACY of Chamberlain's Pain Balm in the relief of rheumatisms is being demonstrated daily. If troubled with this painful disease procure a bot-tle at once. One application relieves-the pain. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., agentsfor Hawaii.

Genevieve Dowsett's libel for damages against Wilder's Steamship Company, on account of the loss of a trunk with valuable contents, was still on before Federal Judge Dole yesterday.

Wm. G. Irwin, who returned in the Ventura with Mrs. Irwin and daughter, looks more robust than he has appeared for years. He attributer the rise in the sugar market to the increased consumption of sugar thro shout Europe, which has been decidedly marked since the abolition of bounties. Shortages of European beet and Cuban cane further affect the situation.

You cannot have a clear and smooth skin unless the blood is Blotches, eruptions, rashes, pimples, all show how impure the blood must be. Get all impurities out of your blood before you are seriously ill.



as Dorothy Maher, of Fitzroy, Victoria, her photograph and this letter:

From the land invitating baggaratus CATCHE SHAP YOUR BRADE Pluggered to St. A.S. Agus to . 1 50 att. Mann . N. S. Au

MOLLIEFER DEUTS SUL ARREST